U.S. Supreme Court Will Hear Challenge to Disney Ski Resort

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WASHINGTON — The Supreme Court Monday agreed to rule whether the Sierra Club can block the development by Walt Disney Productions of a $35 million resort in the High Sierra.

At the least, the court's action is expected to delay work on the Mineral King project until late in the year because the case will not be heard before fall.

In September, 1970, the U.S. 9th Circuit Court of Appeals in San Francisco lifted a preliminary injunction barring the Interior and Agriculture Departments from issuing permits for the project. The Mineral King Valley is bordered on three sides by Sequoia National Forest and is in the Sequoia Game Refuge.

The appellate court held that the Sierra Club had failed to show it had the necessary interest for legal standing in the case. The club appealed to the Supreme Court, declaring it has a "special interest in the nature of the uses proposed in the Sierra Nevada Mountains on behalf of the general public."

Outcome of the case could affect the ability of conservation and ecology organizations to wage court battles against practices and programs they view as counter to the public interest.

Tulare County, where Mineral King is located, joined the federal government in opposing high court review of the ruling that erased the injunction, which remained in effect while the appeal was made.

County officials said development of the all-year recreational area could correct Tulare's "present depressed economic condition."

The development would include such facilities as skating rinks and ski lifts, restaurants and swimming pools for up to 14,000 visitors a day. The project would entail converting a dirt road running across the national park into a highway and building a 66,000-volt electrical transmission line through the park.

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Returning from a month's recess, the Supreme Court also agreed to decide whether states must provide lawyers to penniless defendants in misdemeanor cases as they already must in more serious cases.

The appeal is of a Florida Supreme Court ruling that the state must provide a lawyer only in cases carrying maximum punishment of more than six months' imprisonment and a $500 fine.

In other actions Monday, the court:

—Refused to hear the appeals of three men convicted in the 1968 Friars Club card-cheating conspiracy. The men, Manuel Jacobs, John Roselli and Benjamin J. Teitelbaum, contended the government failed to show they knew their actions might violate federal law and thus constitute an illegal conspiracy.

—Agreed to hear California's appeal of a ruling that it must provide prison inmates either with more extensive law library facilities or the assistance of law professors or students. A three-judge federal court in San Francisco ruled last May that state regulations on providing prisoners with lawbooks benefit affluent but not indigent convicts.

—Agreed to hear an indigent medical student's challenge to Illinois' requirement that he pay $300 for the transcript of his disorderly conduct trial to appeal his conviction.

—Dismissed the appeals of two nude dancers convicted in 1969 of exposure in a public place, the Boo-Ga-Loo bar in Los Angeles. The justices said the appeal, which claimed that nude dancing deserved First Amendment protection, lacked "a substantial federal question."

—Agreed to rule on state laws empowering police to seize, without a court hearing, property from a debtor whose creditor alleges he is lagging in his payments. The appeal was raised by a Miami woman whose stove and phonograph were seized when, she said, she withheld payments to demand that the stove be repaired.